

HOUSE BILL 3245

By Miller L

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 13, to enact the "Ammunition Accountability Act".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act shall be known and may be cited as the "Ammunition Accountability Act".

SECTION 2. The general assembly finds the following:

- (1) Each year in the United States, more than thirty percent (30%) of all homicides that involve a gun go unsolved;
- (2) Handgun ammunition accounts for eighty percent (80%) of all ammunition sold in the United States;
- (3) Current technology for matching a bullet used in a crime to the gun that fired it has worked moderately well for years, but presupposes that the weapon was recovered by law enforcement; and
- (4) Bullet coding is a new and effective way for law enforcement to quickly identify persons of interest in gun crime investigations.

SECTION 3.

For purposes of this act, "coded ammunition" means a bullet carrying a unique identifier that has been applied by etching onto the base of the bullet projectile.

SECTION 4.

(a) All handgun and assault weapon ammunition manufactured or sold in the state after January 1, 2009, shall be coded by the manufacturer.

(b) No later than January 1, 2011, all non-coded ammunition for the calibers listed in this act, whether owned by private citizens or retail outlets, shall be disposed.

SECTION 5.

(a) The Tennessee bureau of investigation (TBI) shall be responsible for establishing and maintaining an ammunition coding system database (ACSD) containing the following information:

(1) A manufacturer registry. Manufacturers shall:

(A) Register with the TBI in a manner prescribed by the department through rules and regulations; and

(B) Maintain records on the business premises for a period of seven (7) years concerning all sales, loans and transfers of ammunition, to, from, or within the state; and

(2) A vendor registry. Vendors shall:

(A) Register with the TBI in a manner prescribed by the department through rules and regulations;

(B) Record the following information in a format prescribed by the TBI:

(i) The date of the transaction;

(ii) The name of the transferee;

(iii) The purchaser's driver license number or other government issued identification card number;

(iv) The date of birth of the purchaser;

(v) The unique identifier of all handgun ammunition or bullets transferred; and

(vi) All other information prescribed by the TBI; and

(C) Maintain records on the business premises for a period of three (3) years from the date of the recorded purchase.

(b) To the greatest extent possible or practical, the ACSD shall be built within the framework of existing firearms databases. The ACSD shall be operational no later than January 1, 2009.

(c) Privacy of individuals shall be of the utmost importance. Access to information in the ACSD is reserved for key law enforcement personnel and shall only be released in connection with a criminal investigation.

SECTION 6.

(a) Any vendor that knowingly fails to comply with, or falsifies the records required to be kept by this act commits a Class A misdemeanor.

(b) Any manufacturer that knowingly fails to comply with this act commits a Class A misdemeanor punishable by fine only not to exceed one thousand dollars (\$1,000) for a first violation and punishable by fine only not to exceed five thousand dollars (\$5,000) for second and subsequent violations.

(c) Any person who knowingly destroys, obliterates, or otherwise renders unreadable, the serialization required pursuant to this act, on any bullet or assembled ammunition commits a Class A misdemeanor.

SECTION 7.

(a) The cost of establishing and maintaining the ACSD shall be funded by an end-user fee. Vendors shall charge an additional one half cent (\$.005) per bullet or round of ammunition to the purchaser.

(b) There is established the coded ammunition fund for deposit of the end-user fees described in this section. Moneys in the fund, upon appropriation, shall be available to the TBI for infrastructure, implementation, operational, enforcement, and future development costs of this act.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it.